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6 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

7 WESTERN CONFERENCE OF
8 TEAMSTERS SUPPLEMENTAL
9 BENEFIT TRUST FUND,
10 TRUSTEES ON BEHALF OF
11 WESTERN CONFERENCE OF
12 TEAMSTERS SUPPLEMENTAL
13 BENEFIT TRUST FUND,

14 Plaintiffs,

15 v.

16 COLUMBIA PACIFIC
17 TRANSPORT COMPANY,

18 Defendant.

NO. CV-03-5078-RHW

**ORDER GRANTING
PLAINTIFFS' MOTION FOR
JUDGMENT ON ANSWER AND
ORDER TO PAY**

19 Before the Court is Plaintiffs' Motion for Judgment on Answer and Order to
20 Pay (Ct. Rec. 31). Attorney Lawrence Schwerin represents Plaintiffs. There has
21 been no appearance by counsel representing Defendant as to the garnishment
22 proceedings. The Garnishee, Key Bank, answered the Writ of Garnishment on
23 August 29, 2005 (Ct. Rec. 30).

24 On January 10, 2005, Judgment was entered in favor of Plaintiffs against
25 Defendant Columbia Pacific Transport Company for a total amount of \$72,631.97.
26 This represents \$28,396.37 in delinquent contributions, \$23,787.03 in interest,
27 \$5,679.07 in liquidated damages, \$14,544.50 in attorneys' fees, and \$225.00 costs
28 (Ct. Rec. 27). Plaintiffs were also entitled to recover post-judgment interest at the
then-prevailing rate pursuant to 28 U.S.C. § 1961 until the judgment is satisfied.

On June 23, 2005, Plaintiffs moved for a Writ of Garnishment against Key

1 Bank (Ct. Rec. 28). The Writ issued, an answer was filed, indicating the Garnishee
2 had in its possession \$58,432.53 (Ct. Rec. 30). Defendant has not controverted the
3 Answer, and Plaintiffs now seek an entry of judgment against the Garnishee,
4 directing payment of the deposits to Plaintiffs' attorney. RCW 6.27.250, *et seq.*

5 Accordingly, **IT IS HEREBY ORDERED:**

6 1. Plaintiffs are awarded judgment against the Garnishee for \$58,432.53;
7 that amount shall be paid to Plaintiffs through Plaintiffs' attorney. Such funds
8 shall be applied in satisfaction of the costs and fees taxable herein.

9 2. Upon receipt of said sum, Plaintiffs shall move to discharge Garnishee
10 Defendant Key Bank from this action.

11 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
12 Order and forward copies to counsel.

13 **DATED** this 26th day of September, 2005.

14
15 s/ ROBERT H. WHALEY
16 Chief United States District Judge
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